

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

X

THE BANK OF NEW YORK MELLON TRUST :
COMPANY, NATIONAL ASSOCIATION, TRUSTEE :
FOR THE REGISTERED CERTIFICATE HOLDERS :
OF MORGAN STANLEY CAPITAL I INC., : 11 CV 0505 (CM) (GWG)
COMMERCIAL MORTGAGE PASS-THROUGH : ECF CASE
CERTIFICATES SERIES 2007-IQ14, ACTING BY :
AND THROUGH C-III ASSET MANAGEMENT LLC, :
AS SPECIAL SERVICER, :
:
Plaintiff, :
:
-against- :
:
MORGAN STANLEY MORTGAGE CAPITAL INC., :
:
Defendant. :
X

NOTICE OF SUPPLEMENTAL MOTION FOR SUMMARY JUDGMENT

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law dated October 30, 2013, Statement Pursuant to Local Rule 56.1 dated October 30, 2013, the Declaration of Steven W. Perlstein dated October 30, 2013, and the exhibits annexed thereto, and all prior pleadings and proceedings filed and had herein, defendant Morgan Stanley Mortgage Capital Inc. (“Morgan Stanley”) will move this Court, before the Honorable Colleen McMahon, United States District Judge, Southern District of New York, at a time and date to be set by the Court, at the Daniel Patrick Moynihan Courthouse, 500 Pearl Street, New York, New York, for an order pursuant to Rule 56 of the Federal Rules of Civil Procedure granting summary judgment in favor of Morgan Stanley, and for such other relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that pursuant to the Court's order, dated September 9, 2013, opposition papers, if any, are due on or before November 26, 2013, and reply papers, if any, are due on or before December 19, 2013.

Dated: New York, New York
October 30, 2013

Respectfully submitted,

KOBRE & KIM LLP

By: /s/ Steven W. Perlstein
Steven G. Kobre
(steven.kobre@kobrekim.com)
Steven W. Perlstein
(steven.perlstein@kobrekim.com)
Josef M. Klazen
(josef.klazen@kobrekim.com)
800 Third Avenue
New York, New York 10022
Tel: +1 212 488 1200
Fax: +1 212 488 1220

*Attorneys for Defendant Morgan Stanley
Mortgage Capital Inc.*

To:

Timothy J. Pastore
J. Andrew Stephenson
Duval & Stachenfeld LLP
555 Madison Avenue, 6th Floor
New York, NY 10022

Attorneys for Plaintiff